



# House of Representatives

General Assembly

**File No. 239**

February Session, 2008

Substitute House Bill No. 5680

*House of Representatives, March 27, 2008*

The Committee on Labor and Public Employees reported through REP. RYAN, K. of the 139th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING SURVIVORS' BENEFITS FOR MEMBERS OF THE STATE POLICE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 5-146 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 (a) If any member of the Division of State Police within the  
4 Department of Public Safety in employment on June 21, 1961, who has  
5 elected survivors' benefits, or any state police officer who commenced  
6 employment subsequent to June 21, 1961, and who in either event was  
7 not subject to the federal Insurance Contributions Act for such  
8 employment, dies from any cause before retirement from state service,  
9 leaving a surviving spouse or dependent unmarried children under  
10 the age of eighteen years, there shall be paid survivors' allowances  
11 from the State Employees Retirement Fund on and after July 1, 1982,  
12 on the following basis: (1) To the surviving spouse, a monthly  
13 allowance of five hundred fifty dollars commencing immediately upon

14 the death of such member of the Division of State Police within the  
15 Department of Public Safety payable for the surviving spouse's  
16 lifetime; [or until subsequent remarriage;] (2) if there are less than  
17 three surviving dependent children, a monthly allowance of two  
18 hundred fifty dollars per child payable to the surviving spouse or  
19 other guardian until each child reaches the age of eighteen or until the  
20 child's marriage if such occurs earlier; (3) if there are three or more  
21 surviving dependent children, a monthly allowance of five hundred  
22 seventy-five dollars to be divided equally among all the dependent  
23 children; as each such dependent child reaches the age of eighteen  
24 years, or marries, if such occurs earlier, that child's share shall be  
25 deemed divided equally among the remaining surviving children,  
26 provided each child's share shall not exceed two hundred fifty dollars;  
27 when the shares of all but one of such surviving children have ceased,  
28 the pension to the remaining surviving child shall be two hundred fifty  
29 dollars.

30 (b) On July 1, 2001, and on July first of each subsequent year, any  
31 person who is eligible for the survivors' allowance under subsection (a)  
32 of this section shall be entitled, in addition to such survivors'  
33 allowance, to an annual cost-of-living allowance which reflects the  
34 increase, if any, in the national consumer price index for urban wage  
35 earners and clerical workers for the previous twelve-month period,  
36 provided such cost-of-living allowance shall not exceed three per cent.  
37 Such cost-of-living allowance shall be computed on the basis of the  
38 combined survivors' allowance and cost-of-living allowances, if any, to  
39 which such person was entitled as of the June thirtieth immediately  
40 preceding.

41 (c) Notwithstanding the provisions of subsections (a) and (b) of this  
42 section, survivors' allowances may be paid from the State Employees  
43 Retirement Fund in such amounts and commencing on such dates as  
44 may conform to the terms of any prevailing collective bargaining  
45 agreement effective on or after July 1, 1979, between the state and the  
46 employees' representative for state police officers. If survivors'  
47 allowances are paid in conformance with any such agreement, each

48 person eligible for survivors' benefits under the terms of this section  
49 shall be paid such allowances.

50 (d) The Retirement Commission shall, at least once every two years,  
51 prepare a valuation of the assets and liabilities of the fund with respect  
52 to the system of benefits provided by this section and sections 5-147 to  
53 5-151, inclusive. Such valuation shall be prepared for the purpose of  
54 determining the cost of funding such system and the cost of funding  
55 such system on an actuarial reserve basis.

|   |                 |       |
|---|-----------------|-------|
| This act shall take effect as follows and shall amend the following sections: |                 |       |
| Section 1   | October 1, 2008 | 5-146 |

**LAB**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

---

**OFA Fiscal Note****State Impact:**

| Agency Affected                                       | Fund-Effect                            | FY 09 \$  | FY 10 \$  |
|---|--|-----------|-----------|
| State Comptroller – state employees retirement system | Various - Eliminates Potential Savings | See Below | See Below |

**Municipal Impact:** None

**Explanation**

The bill eliminates language which ends survivor benefits when the surviving spouse of a state police officer remarries. This would eliminate potential savings to the state employees' retirement system that occurs under current law when a surviving spouse remarries and benefits end. The fiscal impact to the state employees' retirement fund and to the state's contribution must be calculated by the system's actuary and would be a function of various factors including the number of surviving spouses, the age of the surviving spouse and the prior assumptions regarding remarriage.

**OLR Bill Analysis****sHB 5680*****AN ACT CONCERNING SURVIVORS' BENEFITS FOR MEMBERS OF THE STATE POLICE.*****SUMMARY:**

Under current law, the surviving spouse of a state police officer who dies from any cause before retiring from state service is eligible for a survivor's benefit until he or she remarries. The bill eliminates the language that ends the benefit at remarriage, thus making it a lifetime benefit. By law and unchanged by the bill, dependent children receive a benefit until age 18 or the child's marriage, if that occurs earlier.

EFFECTIVE DATE: October 1, 2008

**COMMITTEE ACTION**

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 9 Nay 0 (03/11/2008)